



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Unfinished Business

I.2.

10/22/2024

### Subject:

Resolution Cancelling Referendum Election Regarding a Non-Ad Valorem Special Assessment for Road Paving in Canaveral Groves (District 1)

### Fiscal Impact:

Costs associated with mailed notice to affected electors who vote by mail, and posted notices at affected polling places.

### Dept/Office:

District 1 Commission Office

### Requested Action:

It is requested that the Board of County Commissioners approve a resolution cancelling the previously called local referendum election concurrent with the November 2024 general election to determine if a non-ad valorem special assessment shall be levied to fund the paving of certain County-maintained dirt roads in Canaveral Groves.

### Summary Explanation and Background:

On July 24, 2024, the Board of County Commissioners adopted Resolution No. 2024-069, calling for a local referendum election to determine if a non-ad valorem special assessment shall be levied to fund the paving of certain County-maintained roads in Canaveral Groves. The referendum result would serve as a non-binding referendum, requiring further action of the Board to implement the special assessment even if approved by a majority of electors residing in the affected area.

Due to additional information received after the adoption of Resolution No. 2024-069 and based upon input from property owners and electors residing within the affected area, the District 1 Commissioner wishes to cancel the referendum election.

As ballots for the November election have already been printed, the referendum may not be removed from the ballot. To affect the cancelation, the Supervisor of Elections will provide notice to voters including mailed notice to affected electors receiving a mail ballot, as well as posted notice at the affected polling place (Precinct 102) and early voting locations and in each voting booth. Any votes on the referendum will be invalid and will not be part of the unofficial or official election results.

### Clerk to the Board Instructions:

Please provide a copy of the executed Resolution and Clerk's Memorandum to the Supervisor of Elections, the District 1 Commission Office, the County Manager's Office, and the County Attorney's Office.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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October 23, 2024

**MEMORANDUM**

**TO:** Rita Pritchett, Commissioner District 1

**RE:** Item 1.2., Resolution Canceling Referendum Election Regarding a Non-Ad Valorem Special Assessment for Road Paving in Canaveral Groves

The Board of County Commissioners, in regular session on October 22, 2024, canceled the previously called local referendum election regarding a non-ad valorem special assessment for road paving in Canaveral Groves.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/ds

cc: Each Commissioner  
County Manager  
County Attorney  
Finance  
Budget  
Supervisor of Elections

**RESOLUTION 2024-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY, FLORIDA, CANCELLING A PREVIOUSLY  
CALLED ELECTION ON A NON-AD VALOREM SPECIAL  
ASSESSMENT TO FINANCE THE PAVING OF CERTAIN COUNTY-  
MAINTAINED UNPAVED ROADS IN CANAVERAL GROVES;  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 24, 2024, the Board of County Commissioners of Brevard County, Florida, adopted Resolution No. 2024-069, calling for a non-binding local referendum election to determine whether a non-ad valorem special assessment should be imposed to pave certain County-maintained dirt roads in the Canaveral Groves area; and

**WHEREAS**, because of additional information, the Board of County Commissioners desires to cancel the referendum election.

**NOW, THEREFORE**, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

**Section 1. RECITALS.** The above recitals are true and correct and incorporated herein by this reference.

**Section 2. REFERENDUM ELECTION CANCELLED.** The local referendum election called for by Resolution No. 2024-069 is hereby cancelled. The Brevard County Supervisor of Elections is hereby authorized and requested to provide such notice to affected voters as is necessary and proper.

**Section 3. PAYMENT OF EXPENSES.** The County Manager is hereby authorized and directed to approve the payment of lawful expenses associated with cancelling the special assessment election and the clerk of the Board of County Commissioners is hereby authorized and directed to disburse funds necessary to pay such expenses.

**Section 4. ELECTION RESULTS.** If votes cast on the referendum election are recorded, they should not be reported or published, and shall not be made a part of the unofficial or official election results submitted to the Department of State.

**Section 5. SEVERABILITY.** In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, sentence, or paragraph hereof.

**Section 6. REPEALING CLAUSE.** All resolutions or other actions of the County which are in conflict herewith are hereby repealed to the extent of such conflict or inconsistency.

**Section 7. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**DONE AND ADOPTED** in Regular Session of the Board of County Commissioners of Brevard County, Florida, this 22nd day of October, 2024.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS OF  
BREVARD COUNTY FLORIDA**

\_\_\_\_\_  
Rachel Sadoff, Clerk

By: \_\_\_\_\_  
Jason Steele, Chair